

From: schwenk@math.udel.edu@inetgw
To: Microsoft ATR
Date: 1/24/02 9:54am
Subject: Microsoft Settlement

To Whom It May Concern:

I am vehemently opposed to the proposed settlement with Microsoft.

My primary concern is with sections III(D) and III(J)(2), which single out non-profit organizations as the only ones to which 1) it need not describe nor license API, Documentation, or Communications Protocols affecting authentication and authorization and 2) it need not disclose information regarding the APIs for incorporating non-Microsoft "middleware." The Open Source software community is arguably realm where the most software design innovation is occurring. Interoperation with Microsoft products is an important part of any software product, whether it come from a commercial or non-profit organization. Without the above-mention disclosures, innovation within the Open Source software community and the community's ability to produce software that can interoperate with Microsoft products will be snuffed out.

Open Source software is the backbone of the Internet and provides people with the most choices for what to do with computers. Taking away the Open Source community's ability to compete in the marketplace will irreparably damage innovations in software development. The Open Source community chooses to make its money with software differently than the 'commercial' vendors, by charging for services and distribution instead of licensing. That doesn't make them an invalid player in the marketplace.

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